GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Registration & Stamps – Allegation of issue of false Encumbrance Certificates against the officials of Registration & Stamps of Sub Registrar Office, Guntur & Nallapadu Viz., Sri B.S.R.L.Babu, former Senior Assistant (now retired as Sub Registrar), Sri M.V.Subba Rao, former Senior Assistant and present Joint Sub Registrar-II, Registrar Office (Original Branch), Guntur, Sri M.Harikishan, former Junior Assistant and present Senior Assistant, Registrar Office, Tenali & Sri B.Kishore Kumar, former Shroff and present Junior Assistant, Sub Registrar Office, Mangalagiri – Prosecution sanctioned – Acquitted – Disciplinary Proceedings initiated – Enquiry conducted – Report submitted – Further action dropped – Orders – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.720 Dated:11-8-2015

Read the following:

1. DIG of Police, CBI, Hyd No.DPDHY2005RCVIJ2003A0017/724, dt:11-5-2005 along with SPs report in Rc.17(A)/2003-VSP.
2. Govt., Memo.No.30195/Vig.VI(1)/2005-1, dt:21-7-2005.
3. C&IG, R&S, AP., Hyd., Lr.No.Vig.3/11441/2005, dt:4-10-05 along with DIG, R&S, Guntur Lr.No.A1/461/2005, dt:1-10-2005.
4. Govt., Lr.No.30195/Vig.VI(1)/2005-2, dt:16-12-2005.
5. Advocate General Opinion No.3/2006, dt:15-1-2006.
6. C&IG, R&S, AP., Hyd., Lr.No.Vig.3/11441/2005, dt:3-10-2006.
7. G.O.Ms.No.777, Rev (Vig.VI) Deptt., dt:7-6-07.
8. G.O.Ms.No.778, Rev (Vig.VI) Deptt., dt:7-6-07.
9. G.O.Ms.No.779, Rev (Vig.VI) Deptt., dt:7-6-07.
10. G.O.Ms.No.780, Rev (Vig.VI) Deptt., dt:7-6-07.
11. Govt., Memo.No.30195/Vig.VI(1)/2007-5, dt:7-6-07.
12. C&IG, R&S, AP., Hyd., Lr.no.Vig.3/11441/05, dt:12-10-2010.
13. DIG, R&S, Guntur Charge Memo.No.A1/461/2005, dt:22-8-2011.
14. DIG, R&S, Guntur Procs.No.A1/461/2005, dt:26-9-2011.
15. C&IG, R&S, AP., Hyd., Lr.No.Vig.3/11441/2005, dt:30-8-2012 together with the proposal of the DIG, R&S, Guntur along with REO report.
16. Judgment of II Addl. Spl. Judge for CBI cases, Visakhapatnam in CC.No.26/05 dt:28-3-2014.
17. DIG, R&S, Guntur Lr.No.A1/461/2005, dt:4-7-2014.
18. C&IG, R&S, AP.,Hyd., Lr.No.Vig.3/11441/2005, dt:31-7-2014.
19. Govt., Lr.No.30195/Vig.II(1)/2005-10, dt:25-3-2015.
20. CBI, ACB cases, Visakhapatnam Lr.No.DPV1S2015/1467/L2 /3/17/2003/CBI/VSP, dt:9-4-2015.

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ORDER:

Where as in the reference 1st read above, the Deputy Inspector General of Police, Central Bureau of Investigation, Hyderabad while furnishing the detailed report of Superintendent of Police, Central Bureau of Investigation, Visakhapatnam to Government have recommended to prosecute the Accused Officer viz., 1)Sri B.Srirama Lingeswara Babu, former Senior Assistant (now retired as Sub Registrar), 2)Sri M.V.Subba Rao, former Senior Assistant and present Joint Sub Registrar-II, Registrar Office (Original Branch), Guntur, 3) Sri M.Hari Kishan, former Junior Assistant and present Senior Assistant, Registrar Office, Tenali and 4) Sri B.Kishore Kumar, former Shroff and present Junior Assistant, Sub Registrar Office, Mangalagiri on the allegation that while they were working at Sub Registrar Office, Guntur and Nallapadu have issued false Encumbrance Certificates for certain properties.

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2. Government have examined the matter and after obtaining the report from the Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Hyderabad in the reference 6th read above, have accorded permission to the Deputy Inspector General of Police, Central Bureau of Investigation, Hyderabad to prosecute the above mentioned 4 Accused Officers in the references 7th to 10th read above. Simultaneously, directed the Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Hyderabad to initiate major penalty proceedings (disciplinary proceedings) against the above 4 Accused Officers in the reference 11th read above.

3. In the reference 13th read above, the Deputy Inspector General, Registration & Stamps, Guntur has initiated departmental proceedings against all the above 4 Accused Officers viz., 1)Sri B.Srirama Lingeswara Babu, former Senior Assistant (now retired as Sub Registrar), 2)Sri M.V.Subba Rao, former Senior Assistant and present Joint Sub Registrar-II, Registrar Office (Original Branch), Guntur, 3) Sri M.Hari Kishan, former Junior Assistant and present Senior Assistant, Registrar Office, Tenali and 4) Sri B.Kishore Kumar, former Shroff and present Junior Assistant, Sub Registrar Office, Mangalagiri. After receipt of Written Statement of Defenses from all the Charged Officers, the Disciplinary Authority i.e., Deputy Inspector General, Registration & Stamps, Guntur has appointed District Registrar, Registration & Stamps, Guntur as Regular Enquiry Officer in the reference 14th read above.

4. In the reference 15th read above, the Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Hyderabad has forwarded the proposals of the Disciplinary Authority along with Regular Enquiry Officer report in the matter, wherein, the Regular Enquiry Officer hold that the charges leveled against 1)Sri M.V.Subba Rao, former Senior Assistant, and present Joint Sub Registrar-II, Registrar Office (Original Branch), Guntur, 2) Sri M.Hari Kishan, former Junior Assistant and present Senior Assistant, Registrar Office, Tenali and 3) Sri B.Kishore Kumar, former Shroff and present Junior Assistant, Sub Registrar Office, Mangalagiri were held not proved. In respect of Sri B.Srirama Lingeswara Babu, former Senior Assistant (now retired as Sub Registrar), the Regular Enquiry Officer hold that the charges I,III,IV,VI were held not proved and the charges II, V & VII were held proved.

5. Further, in the reference 16th read above, the II Additional Special Judge for Central Bureau of Investigation cases, Visakhapatnam have pronounced Judgment in CC.No.26/2005, dt:28-3-2014 stating that the Accused Officers 1)Sri B.Srirama Lingeswara Babu, former Senior Assistant (now retired as Sub Registrar), 2)Sri M.V.Subba Rao, former Senior Assistant and present Joint Sub Registrar-II, Registrar Office (Original Branch), Guntur, 3) Sri M.Hari Kishan, former Junior Assistant and present Senior Assistant, Registrar Office, Tenali and 4) Sri B.Kishore Kumar, former Shroff and present Junior Assistant, Sub Registrar Office, Mangalagiri are not found guilty of the charges and they are acquitted.

6. In the reference 17th read above, the Deputy Inspector General, Registration & Stamps, Guntur while furnishing the copy of Judgment of II Additional Special Judge for Central Bureau of Investigation cases, Visakhapatnam have opined that initiating disciplinary action by imposing major penalty against the above 4 Charged Officers based on the Central Bureau Investigation report was not appropriate in view of their acquittal in CC.No.26/2005 on the file of Hon'ble II Additional Special Jude for Central Bureau of Investigation cases, Visakhapatnam. Further, in the reference 20th read above, the Superintendent of Police, Central Bureau of Investigation, Visakhapatnam has informed that they are not preferring any appeal before the High Court in the matter.

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7. Government after careful examination of the matter in the light of the Judgment of Hon'ble Special Judge for Central Bureau of Investigation cases, Visakhapatnam in CC.No.26/2005, the remarks of Superintendent of Police, Central Bureau of Investigation in the reference 20th read above, and on the proposal of the Deputy Inspector General, Registration & Stamps, Guntur, have decided and hereby order to drop further action against 1)Sri B.Srirama Lingeswara Babu, former Senior Assistant (now retired as Sub Registrar), 2)Sri M.V.Subba Rao, former Senior Assistant and present Joint Sub Registrar-II, Registrar Office (Original Branch), Guntur, 3) Sri M.Hari Kishan, former Junior Assistant and present Senior Assistant, Registrar Office, Tenali and 4) Sri B.Kishore Kumar, former Shroff and present Junior Assistant, Sub Registrar Office, Mangalagiri on both counts i.e., criminal action & departmental action.

8. The Director & Inspector General, Registration & Stamps, Andhra Pradesh, Hyderabad / Deputy Inspector General, Registration & Stamps, Guntur shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Director & Inspector General, Registration & Stamps,
Andhra Pradesh, Hyderabad.
The Deputy Inspector General, Registration & Stamps, Guntur.
The Individuals (through the Deputy Inspector General,
Registration & Stamps, Guntur)
Copy to :
The Secretary to the Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Hyderabad.
The Superintendent of Police, Central Bureau of Investigation,
Special Police Establishment, Visakhapatnam.
SF / SC

//FORWARDED :: BY ORDER//

SECTION OFFICER